

**WASHINGTON COUNTY COMMISSION**  
**SPECIAL MEETING MINUTES**  
**MARCH 22, 2011**

A Special Meeting of the Board of the Washington County Commission was called to order by Chairman Dennis Drake at 10:00 AM on March 22, 2011, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman Dennis Drake, Commissioner James J. Eardley, Commissioner Alan D. Gardner, Deputy County Attorney David L. Patterson, County Administrator Dean Cox, and Deputy County Clerk Christine Hall.

*The Spectrum* was not represented at the meeting.

**REGULAR AGENDA**

**CONSIDERATION OF RESOLUTION NO. R-2011-1548, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH, CREATING AND ESTABLISHING A SPECIAL SERVICE DISTRICT WITHIN WASHINGTON COUNTY, DESCRIBING THE BOUNDARIES THEREOF, NAMING THE SAID DISTRICT, AUTHORIZING AND SPECIFYING THE SERVICES TO BE PROVIDED, SETTING FORTH THE POWERS, DUTIES AND AUTHORITY, DESIGNATING AND APPOINTING THE GOVERNING AUTHORITY, PROVIDING FOR THE METHOD OR METHODS OF PAYMENT FOR THE SERVICES TO BE FURNISHED, AND PRESCRIBING OTHER MATTERS AND DETAIL RELATING TO THE ESTABLISHMENT, OPERATIONS AND FUNCTIONS THEREOF**

Deputy County Attorney David L. Patterson explained that the creation of this special service district was initiated by statutory process on December 27, 2010, when the Commission passed Resolution No. R-2010-1517. A public hearing was held on February 15, 2011, to receive public comments; the comment period expired on March 15, 2011, and no protests were filed. If the Commission adopts the Resolution under consideration today, the Southern Utah Shooting Sports Park Special Service District (SUSSPSSD) will be created, as follows:

- The purpose of the SUSSPSSD is to provide shooting and archery opportunities for residents of the County;
- The boundary will be the entire County, including both municipalities and the unincorporated areas;
- The Administrative Control Board will, by statute, control the SSD, and will consist initially of nine (9) members, six (6) being from the cities of Hurricane, Ivins, LaVerkin, Santa Clara, St. George, and Washington; one (1) member from Washington County; and one (1) member each from two (2) of the venues operating within the SUSSPSSD;
- Those people chosen above will be nominated by each of the municipalities or venues, with ultimate appointment resting with the County Commission;

- If a nominee is not appointed by the Commission to serve on the Board, the Commission will so advise the municipality that nominated that candidate, and the nomination process will start again;
- Initially, the two (2) venues that will be represented on the Board will be the Shotgun and Cowboy Action Venues;
- The terms of service will be according to the provisions more specifically set forth in Resolution No. R-2011-1548, Section 7;
- By statute, the County must state that it is entitled to assess fees for the operation of the special service district, but in fact it is the County's intent not to assess any fees on citizens, but rather to fund the operation of the SUSSPSSD by using that revenue from those patronizing the Shooting Sports Park;
- The Board will establish the rules and regulations necessary to govern its affairs and carry out the business of the District.

A gentleman from the audience asked whether a list of specific disqualifying characteristics exists which the Commission might use to disqualify a candidate, and Mr. Patterson responded that there is not. He said he doesn't envision the Commission rejecting any qualified candidate, but the provision is in the resolution simply to reiterate the Commission's control of those appointments. There is no provision for rescinding an appointment once a person has been appointed.

**MOTION: Motion by Commissioner Eardley to Adopt Resolution No. R-2011-1548, A Resolution Of The Board Of County Commissioners Of Washington County, Utah, Creating And Establishing A Special Service District Within Washington County, Describing The Boundaries Thereof, Naming The Said District, Authorizing And Specifying The Services To Be Provided, Setting Forth The Powers, Duties And Authority, Designating And Appointing The Governing Authority, Providing For The Method Or Methods Of Payment For The Services To Be Furnished, And Prescribing Other Matters And Detail Relating To The Establishment, Operations And Functions Thereof. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

### **OTHER BUSINESS**

Public Works Director Ron Whitehead asked to speak to the Commission about some important issues. He asked the Commission to approve Amendment 3 to Cooperative Agreement 68-8D43-11-08 between the Natural Resources Conservation Service (NRCS) and Washington County, which extends the expiration date of exigency funds used for emergency watershed protection work done in the Town of Rockville to April 25, 2011.

**MOTION: Motion by Commissioner Gardner to Approve Amendment 3 to Cooperative Agreement 68-8D43-11-08 between the Natural Resources Conservation Service (NRCS) and Washington County, which extends the expiration date of exigency funds used for emergency watershed protection work done in the Town of Rockville to April 25, 2011. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

Mr. Whitehead next discussed the work being done in New Harmony. Lance Smith, the NRCS engineer, has made changes to some drawings, and the project will be sent out to bid once those drawings are finalized.

Yet another NRCS exigency project, in Springdale, has encountered some difficulties. Using some leftover money from an earlier exigency project, protection around a sewer line was expected to begin in Springdale, using permits already in place. Mr. Whitehead and Springdale City Manager Rick Wixom met recently with the property owner to obtain his signature on an easement. However, the property owner could not reach a suitable agreement with the City of Springdale and refused to sign the easement allowing the work to be done on his property. Mr. Whitehead is attempting to re-route the exigency money to another project, and the likely one is on Old Highway 91. The Road Department could identify a section of road that requires some additional rock for erosion control, and the project would need to be done quickly in order to use the money within the allotted time limit.

The County will be signing several additional public assistance forms with the Federal Emergency Management Agency (FEMA) on some small projects. Additionally, the County is trying to negotiate funding from the Federal Highway office. Discussions have been held concerning how much sediment will be removed from under the bridges that cross over the Federal Highway roads. The Department of Homeland Security (DHS) mitigation branch is coming into town tomorrow, with a meeting set for Friday, March 25, 2011, to request mitigation grant projects. St. George City is the only entity thus far to request a specific project, but there may be more.

Washington County has requested proposals from professional engineering groups for a Manganese Road and Cinder Cone Road Drainage Study and Engineering Services Proposal for proposed work to be done in the Gunlock and Diamond Valley areas. Alpha Engineering has submitted the lowest price of three thousand five hundred and fifty-two dollars (\$3,552.00), and Mr. Whitehead requested the Commission approve the awarding of the bid to Alpha for the study.

**MOTION: Motion by Commissioner Gardner to Award a Manganese road and Cinder Cone Road Drainage Study and Engineering Services**

**Contract to Alpha Engineering for the amount of \$3,552.00. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

Mr. Whitehead said that Ironman is fast approaching, and a tabletop exercise is scheduled for next week for training purposes. There are very few changes in procedure from last year.

Mr. Patterson said that, with respect to Commissioner Gardner's question about having a rotation in venues being represented on the SUSSPSSD, he would like to amend the paragraph in the resolution to clarify this matter.

**MOTION: Motion by Commissioner Gardner to Approve an Amendment to Resolution No. R-2011-1548, Section 7, Paragraph C, Clarifying the Rotation of Venues' Representation on the Administrative Control Board. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.**

There being nothing further to come before the Commission, the meeting was adjourned at 10:24 a.m.

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CHRISTINE S. HALL  
DEPUTY CLERK

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DENNIS DRAKE  
CHAIRMAN